

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Application of</p> <p>James Andya et al.</p> <p>Serial No.: not yet assigned</p> <p>Filed: November 2, 2000</p> <p>For: PROTEIN FORMULATION</p>	<p>Group Art Unit: not yet assigned</p> <p>Examiner: not yet assigned</p> <div data-bbox="803 483 1421 749"> <p><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231.</p> <p>Express Mail Label No: EL 599 584 309 US</p> <p>November 2, 2000</p> <p><i>Ann Savelli</i></p> <p>Ann Savelli</p> </div>
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JC922 U.S. PRO  
09/705457  
11/02/00

**PETITION AND STATEMENT TO CORRECT INVENTORSHIP UNDER 37 C.F.R. §1.48(b)**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

This petition to correct inventorship is being made pursuant to 37 CFR §1.48(b).

Deletion of the following originally named inventors: Jeffrey L. Cleland, Xanthe M. Lam, David E. Overcasier and Janet Yu-Feng Yang is hereby requested. The above named inventors' invention is no longer being claimed in the application as amended.

Upon acceptance of this Petition to correct inventorship, the correct inventors of the amended application are: James Andya, Chung C. Hsu, Steven J. Shire and Sylvia Sau-Yan Wu.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$130.00 to cover the fees for this Petition required as set forth in 37 CFR 1.17(i), and to charge the deposit account for any further fees in regard to this patent application. A duplicate copy of this Petition is enclosed for this purpose.

Respectfully submitted,  
GENENTECH, INC.

Date: 11-2-00

By: *Wendy M. Lee*  
Wendy M. Lee  
Reg. No. 40,378

1 DNA Way  
So. San Francisco, CA 94080-4990  
Phone: (650) 225-1994  
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**COMBINED DECLARATION FOR PATENT APPLICATION  
AND POWER OF ATTORNEY**

COPY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

**PROTEIN FORMULATION**

the specification of which was filed on March 14, 1996 as Application Serial No. 08/615,369.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate have a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

Yes      No

Number	Country	Day/Month/Year Filed
I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below:		
Application Ser. No.	Filing Date	
I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:		
Application Ser. No.	Filing Date	Status: Patented, Pending, Abandoned
Application Ser. No.	Filing Date	Status: Patented, Pending, Abandoned

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Walter E. Buting - Reg. No. 23,092

Jeffrey S. Kubinec - Reg. No. 36,575

Ginger R. Dreger - Reg. No. 33,055

Stephen Raines - Reg. No. 25,912

Richard B. Love - Reg. No. 34,659

Janet E. Hasak - Reg. No. 28,616

Diane L. Marschang - Reg. No. 35,600

Sean A. Johnston - Reg. No. 35,910

Daryl B. Winter - Reg. No. 32,637

Dennis G. Kleid - Reg. No. 32,037

Timothy E. Torchia - Reg. No. 36,700

Wendy M. Lee \*

\* A copy of a document pursuant to 37 C.F.R. § 10.9(b) is attached as proof of the authorization of the undersigned to prosecute the above-mentioned application. The original of this document is on file in the Office of Enrollment and Discipline.

Send correspondence to Genentech, Inc.

Attn: Wendy M. Lee  
460 Point San Bruno Boulevard  
South San Francisco, CA 94080  
Telephone: (415) 225-1994

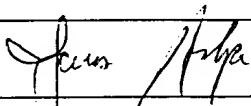
I hereby declare that all statements made herein of my own knowledge and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from his foreign patent agent as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

Full name of sole or first inventor

James Andya

Inventor's signature



Date

5-8-96

Residence

227 Richmond Drive, Apt. D, Millbrae, California 94030

Citizenship

United States of America

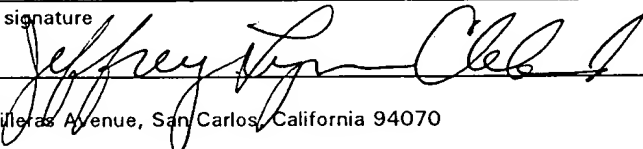
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Full name of second joint inventor, if any

Jeffrey L. Cleland

Inventor's signature



Date

5/9/96

Residence

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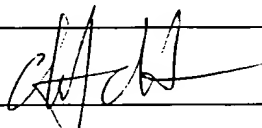
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Full name of third joint inventor, if any

Chung C. Hsu

Inventor's signature



Date

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Citizenship

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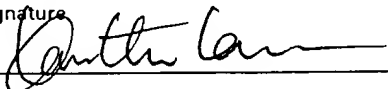
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Full name of fourth joint inventor, if any

Xanthe M. Lam

Inventor's signature



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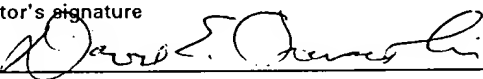
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Full name of fifth joint inventor, if any

David E. Overcashier

Inventor's signature



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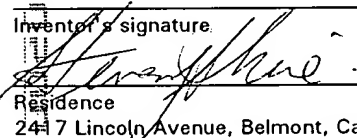
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Full name of sixth joint inventor, if any

Steven J. Shire

Inventor's signature



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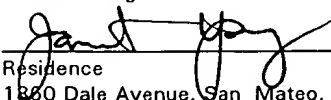
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Full name of seventh joint inventor, if any

Janet Yu-Feng Yang

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Full name of eighth joint inventor, if any

Sylvia Sau-Yan Wu

Inventor's signature

Date \_\_\_\_\_

5/8/96

Residence

1438 Filbert Street, #203, San Francisco, California 94109

## Citizenship

Canadian

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Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	